IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 16536 of 2007(H)

PETITIONER:

DASIYKUTTY ANTONY, W/O.LATE ANTONY,
AGED 56 YEARS, VAYUMATTATHIL HOUSE,
POOLAKUTTY P.O., KANNUR DISTRICT.

BY ADV. SRI.A.X.VARGHESE

RESPONDENTS:
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1. STATE OF KERALA, REP. BY THE SECRETARY,
DEPARTMENT OF CO-OPERATION, SECRETARIATE,
THIRUVANANTHAPURAM.

2. ASSISTANT REGISTRAR, CO-OPERATIVE
SOCIETIES, KOOTHUPARAMBU, KANNUR DISTRICT.

3. POOLAKUTTY SERVICE CO-OPERATIVE BANK,
REP.BY SECRETARY, POOLAKUTTY P.O.,
KANNUR DISTRICT.

R1&2 BY G.P. SRI.MOHAMMED RAFFIQ
R3 BY ADV. SRI.GRACIOUS KURIAKOSE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.16536 of 2007

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Dated this the 31st day of May, 2007.

JUDGMENT

Even though petitioner has violated Ext.P1 judgment, I feel one more opportunity can be granted to the petitioner to settle liability within two months based on her undertaking in court and in view of the mental illness and agony stated to have been suffered by her. The W.P. is accordingly disposed of directing the respondents to withhold recovery proceedings till 31.7.2007 for the petitioner to settle liability. If payment is made to the Bank voluntarily, no collection charges should be recovered and there will be direction to the Bank to waive entire penal interest. However, if petitioner fails to make payment, respondents are free to recover the entire arrears with penal interest and in that event, collection charges also can be recovered.

C.N.RAMACHANDRAN NAIR
Judge

pms